



Early Journal Content on JSTOR, Free to Anyone in the World

This article is one of nearly 500,000 scholarly works digitized and made freely available to everyone in the world by JSTOR.

Known as the Early Journal Content, this set of works include research articles, news, letters, and other writings published in more than 200 of the oldest leading academic journals. The works date from the mid-seventeenth to the early twentieth centuries.

We encourage people to read and share the Early Journal Content openly and to tell others that this resource exists. People may post this content online or redistribute in any way for non-commercial purposes.

Read more about Early Journal Content at <http://about.jstor.org/participate-jstor/individuals/early-journal-content>.

JSTOR is a digital library of academic journals, books, and primary source objects. JSTOR helps people discover, use, and build upon a wide range of content through a powerful research and teaching platform, and preserves this content for future generations. JSTOR is part of ITHAKA, a not-for-profit organization that also includes Ithaka S+R and Portico. For more information about JSTOR, please contact support@jstor.org.

NORTH AMERICAN REVIEW.

No. CCCCLXXVI.

JULY, 1896.

THE DECLARATION OF INDEPENDENCE IN THE LIGHT OF MODERN CRITICISM.

BY MOSES COIT TYLER, PROFESSOR OF HISTORY IN CORNELL
UNIVERSITY.

I.

It can hardly be doubted that some hindrance to a right estimate of the Declaration of Independence is occasioned by either of two opposite conditions of mind, both of which are often to be met with among us : on the one hand, a condition of hereditary, uncritical awe and worship of the American Revolution, and of that state paper as its absolutely perfect and glorious expression ; on the other hand, a later condition of cultivated distrust of the Declaration, as a piece of writing lifted up into inordinate renown by the passionate and heroic circumstances of its origin, and ever since then extolled beyond reason by the blind energy of patriotic enthusiasm. Turning from the former state of mind, which obviously calls for no further comment, we may note, as a partial illustration of the latter, that American confidence in the supreme intellectual merit of this all-famous document received a serious wound some forty years ago from the hand of Rufus Choate, when, with a courage greater than would now be required for such an act, he characterized it as made up of "glittering and sounding generalities of natural

VOL. CLXIII.—NO. 476.

1

Copyright, 1896, by LLOYD BRYCE. All rights reserved.

right.”* What the great advocate then so unhesitatingly suggested, many a thoughtful American since then has at least suspected—that our great proclamation, as a piece of political literature, cannot stand the test of modern analysis; that it belongs to the immense class of over-praised productions; that it is, in fact, a stately patchwork of sweeping propositions of somewhat doubtful validity; that it has long imposed upon mankind by the well-known effectiveness of verbal glitter and sound; that, at the best, it is an example of florid political declamation belonging to the sophomoric period of our national life, a period which, as we flatter ourselves, we have now outgrown.

Nevertheless, it is to be noted that whatever authority the Declaration of Independence has acquired in the world, has been due to no lack of criticism, either at the time of its first appearance, or since then; a fact which seems to tell in favor of its essential worth and strength. From the date of its original publication down to the present moment, it has been attacked again and again, either in anger, or in contempt, by friends as well as by enemies of the American Revolution, by liberals in politics as well as by conservatives. It has been censured for its substance, it has been censured for its form, for its misstatements of fact, for its fallacies in reasoning, for its audacious novelties and paradoxes, for its total lack of all novelty, for its repetition of old and threadbare statements, even for its downright plagiarisms; finally, for its grandiose and vaporing style.

II.

One of the earliest and ablest of its assailants was Thomas Hutchinson, the last civil governor of the colony of Massachusetts, who, being stranded in London by the political storm which had blown him thither, published there, in the autumn of 1776, his “*Strictures Upon the Declaration of the Congress at Philadelphia*,”† wherein, with an unsurpassed knowledge of the origin of the controversy, and with an unsurpassed acumen in the discussion of it, he traverses the entire document, paragraph by paragraph, for the purpose of showing that its allegations in support of American Independence are “false and frivolous.”‡

* Letter of Rufus Choate to the Whigs of Maine, 1856.

† His pamphlet is dated October 15, 1776.

‡ “*Strictures*,” etc., 3.

A better-written, and, upon the whole, a more plausible and a more powerful, arraignment of the great Declaration was the celebrated pamphlet by Sir John Dalrymple, "*The Rights of Great Britain Asserted against the Claims of America: Being an Answer to the Declaration of the General Congress,*"—a pamphlet scattered broadcast over the world at such a rate that at least eight editions of it were published during the last three or four months of the year 1776. Here, again, the manifesto of Congress is subjected to a searching examination, in order to prove that "the facts are either wilfully or ignorantly misrepresented, and the arguments deduced from premises that have no foundation in truth."* It is doubtful if any disinterested student of history, any competent judge of reasoning, will now deny to this pamphlet the praise of making out a very strong case against the historical accuracy and the logical soundness of many parts of the Declaration of Independence.

Undoubtedly, the force of such censures is for us much broken by the fact that they proceeded from men who were themselves partisans in the Revolutionary controversy, and bitterly hostile to the whole movement which the Declaration was intended to justify. Such is not the case, however, with the leading modern English critics of the same document, who, while blaming in severe terms the policy of the British Government toward the Thirteen Colonies, have also found much to abate from the confidence due to this official announcement of the reasons for our secession from the empire. For example, Earl Russell, after frankly saying that the great disruption proclaimed by the Declaration of Independence was a result which Great Britain had "used every means most fitted to bring about," such as "vacillation in council, harshness in language, feebleness in execution, disregard of American sympathies and affections," also pointed out that "the truth of this memorable Declaration" was "warped" by "one singular defect," namely, its exclusive and excessive arraignment of George the Third "as a single and despotic tyrant," much like Philip the Second to the people of the Netherlands.†

This temperate criticism from an able and a liberal English

* "*The Rights,*" etc., 1-2. The copy used by me is the seventh edition, London, 1776.

† Lord John Russell, "*Memorials and Correspondence of Charles James Fox,*" i., 151-152.

statesman of the present century may be said to touch the very core of the problem as to the historic justice of our great indictment of the last King of America; and there is deep significance in the fact that this is the very criticism upon the document, which, as John Adams tells us, he himself had in mind when it was first submitted to him in committee, and even when, shortly afterward, he advocated its adoption by Congress. After mentioning certain things in it with which he was delighted, he adds:

"There were other expressions which I would not have inserted if I had drawn it up—particularly that which called the King tyrant. I thought this too personal; for I never believed George to be a tyrant in disposition and in nature. I always believed him to be deceived by his courtiers on both sides of the Atlantic, and in his official capacity only cruel. I thought the expression too passionate, and too much like scolding, for so grave and solemn a document; but, as Franklin and Sherman were to inspect it afterwards, I thought it would not become me to strike it out. I consented to report it." *

A more minute and a more poignant criticism of the Declaration of Independence has been made in recent years by still another English writer of liberal tendencies, who, however, in his capacity as critic, seems here to labor under the disadvantage of having transferred to the document which he undertakes to judge much of the extreme dislike which he has for the man who wrote it, whom, indeed, he regards as a sophist, as a demagogue, as quite capable of inveracity in speech, and as bearing some resemblance to Robespierre "in his feline nature, his malignant egotism, and his intense suspiciousness, as well as in his bloody-minded, yet possibly sincere, philanthropy."† In the opinion of Prof. Goldwin Smith, our great national manifesto is written "in a highly rhetorical strain";‡ "it opens with sweeping aphorisms about the natural rights of man, at which political science now smiles, and which . . . might seem strange when framed for slave-holding communities by a publicist who

* "*The Works of John Adams*," ii., 514. note. The distinction here made by John Adams between the personal and the official character of George III. is quite pointless in its application to the Declaration of Independence; since it is of the King's official character only that the Declaration speaks. Moreover, John Adams's testimony in 1822 that he "never believed George to be a tyrant in disposition and nature," is completely destroyed by John Adams's own testimony on that subject as recorded at an earlier period of his life. For example, in 1780, in a letter to M. Dumas, he thus speaks of George III. under the name of "White Eyes": "Europe, in general, is much mistaken in that character; it is a pity that he should be believed to be so amiable; the truth is far otherwise. *Nerone neronior* is nearer the truth." *Ibid.*, vii., 327.

† Goldwin Smith, in *The Nineteenth Century*, No. 131, January, 1888, p. 109.

‡ "*The United States: An Outline of Political History*," 88.

himself held slaves” ;* while, in its specifications of fact, it “is not more scrupulously truthful than are the general utterances”† of the statesman who was its scribe. Its charges that the several offensive acts of the king, besides “evincing a design to reduce the colonists under absolute depotism,” “all had as their direct object the establishment of an absolute tyranny,” are simply “propositions which history cannot accept.”‡ Moreover, the Declaration “blinks the fact that many of the acts, styled steps of usurpation, were measures of repression, which, however unwise or excessive, had been provoked by popular outrage.”§ “No government could allow its officers to be assaulted and their houses sacked, its loyal lieges to be tarred and feathered, or the property of merchants sailing under its flag to be thrown by lawless hands into the sea.”|| Even “the preposterous violence and the manifest insincerity of the suppressed clause” against slavery and the slave-trade “are enough to create suspicion as to the spirit in which the whole document was framed.”¶

III.

Finally, as has been already intimated, not even among Americans themselves has the Declaration of Independence been permitted to pass on into the enjoyment of its superb renown, without much critical disparagement at the hands of statesmen and historians. No doubt Calhoun had its preamble in mind when he declared that “nothing can be more unfounded and false” than “the prevalent opinion that all men are born free and equal” ; for “it rests upon the assumption of a fact which is contrary to universal observation.”** Of course, all Americans who have shared to any extent in Calhoun’s doctrines respecting human society could hardly fail to agree with him in regarding as fallacious and worthless those general propositions in the Declaration which seem to constitute its logical starting point, as well as its ultimate defence.

Perhaps, however, the most frequent form of disparagement to which Jefferson’s great state paper has been subjected among

* “*The United States.*” etc., 87-88.

† *The Nineteenth Century*, No. 131, p. 111.

‡ “*The United States*,” &c., 88.

§ *Ibid.*, 88.

|| *The Nineteenth Century*, No. 131, p. 111.

¶ *Ibid.*

** “*A Disquisition on Government*” in “*The Works of John C. Calhoun*,” i., 57.

us is that which would minimize his merit in composing it, by denying to it the merit of originality. For example, Richard Henry Lee sneered at it as a thing "copied from Locke's *Treatise on Government*."* The author of a life of Jefferson, published in the year of Jefferson's retirement from the presidency, suggests that the credit of having composed the Declaration of Independence "has been perhaps more generally, than truly, given by the public" to that great man.† Charles Campbell, the historian of Virginia, intimates that some expressions in the document were taken without acknowledgment from Aphra Behn's tragi-comedy, "The Widow-Ranter, or the History of Bacon in Virginia."‡ John Stockton Littell describes the Declaration of Independence as "that enduring monument at once of patriotism, and of genius and skill in the art of appropriation"—asserting that "for the sentiments and much of the language" of it, Jefferson was indebted to Chief Justice Drayton's charge to the grand jury of Charleston, delivered in April, 1776, as well as to the Declaration of Independence said to have been adopted by some citizens of Mecklenburg County, North Carolina, in May, 1775.§ Even the latest and most critical editor of the writings of Jefferson calls attention to the fact that a glance at the Declaration of Rights, as adopted by Virginia on the 12th of June, 1776, "would seem to indicate the source from which Jefferson derived a most important and popular part" of his famous production.|| By no one, however, has the charge of a lack of originality been pressed with so much decisiveness as by John Adams, who took evident pleasure in speaking of it as a document in which were merely "recapitulated" previous and well-known statements of American rights and wrongs,¶ and who, as late as in the year 1822, deliberately wrote:

"There is not an idea in it but what had been hackneyed in Congress for two years before. The substance of it is contained in the declaration of rights and the violation of those rights, in the Journals of Congress, in 1774. Indeed, the essence of it is contained in a pamphlet, voted and printed by the town of Boston, before the first Congress met, composed by James Otis, as I suppose, in one of his lucid intervals, and pruned and polished by Samuel Adams."**

* "The Writings of Thomas Jefferson," H.'A. Washington ed., vii., 39.

† Stephen Cullen Carpenter, "Memoirs of Thomas Jefferson," i., 11.

‡ "History of . . . Virginia," 317.

§ Grayden's "Men and Times of the American Revolution," 323, note.

|| Paul Leicester Ford, "The Writings of Thomas Jefferson," I Intro. xxvi.

¶ "The Works of John Adams," ii., 377.

** *Ibid.*, 514, note.

IV.

Perhaps nowhere in our literature would it be possible to find a criticism brought forward by a really able man against any piece of writing less applicable to the case, and of less force and value, than is this particular criticism by John Adams and others, as to the lack of originality in the Declaration of Independence. Indeed, for such a paper as Jefferson was commissioned to write, the one quality which it could not properly have had, the one quality which would have been fatal to its acceptance either by the American Congress or by the American people—is originality. They were then at the culmination of a tremendous controversy over alleged grievances of the most serious kind—a controversy that had been steadily raging for at least twelve years. In the course of that long dispute, every phase of it, whether as to abstract right or constitutional privilege or personal procedure, had been presented in almost every conceivable form of speech. At last, they had resolved, in view of all this experience, no longer to prosecute the controversy as members of the empire; they had resolved to revolt, and, casting off forever their ancient fealty to the British crown, to separate from the empire, and to establish themselves as a new nation among the nations of the earth. In this emergency, as it happened, Jefferson was called upon to put into form a suitable statement of the chief considerations which prompted them to this great act of revolution, and which, as they believed, justified it. What, then, was Jefferson to do? Was he to regard himself as a mere literary essayist, set to produce before the world a sort of prize-dissertation—a calm, analytic, judicial treatise on history and politics with a particular application to Anglo-American affairs—one essential merit of which would be its originality as a contribution to historical and political literature? Was he not, rather, to regard himself as, for the time being, the very mouthpiece and prophet of the people whom he represented, and as such required to bring together and to set in order, in their name, not what was new, but what was old; to gather up into his own soul, as much as possible, whatever was then also in their souls, their very thoughts and passions, their ideas of constitutional law, their interpretations of fact, their opinions as to men and as to events in all that ugly quarrel, their notions of justice, of civic dignity, of human rights; finally, their

memories of wrongs which seemed to them intolerable, especially of wrongs inflicted upon them during those twelve years by the hands of insolent and brutal men, in the name of the King, and by his apparent command ?

Moreover, as the nature of the task laid upon him made it necessary that he should thus state, as the reasons for their intended act, those very considerations both as to fact and as to opinion which had actually operated upon their minds, so did it require him to do so, to some extent, in the very language which the people themselves, in their more formal and deliberate utterances, had all along been using. In the development of political life in England and America, there had already been created a vast literature of constitutional progress—a literature common to both portions of the English race, pervaded by its own stately traditions, and reverberating certain great phrases which formed, as one may say, almost the vernacular of English justice, and of English aspiration for a free, manly and orderly political life. In this vernacular the Declaration of Independence was written. The phraseology thus characteristic of it is the very phraseology of the champions of constitutional expansion, of civic dignity and progress, within the English race ever since *Magna Charta*; of the great state papers of English freedom in the seventeenth century, particularly the Petition of Right in 1629, and the Bill of Rights in 1789; of the great English Charters for colonization in America; of the great English exponents of legal and political progress—Sir Edward Coke, John Milton, Sir Philip Sidney, John Locke; finally, of the great American exponents of political liberty, and of the chief representative bodies, whether local or general, which had convened in America from the time of Stamp Act Congress until that of the Congress which resolved upon our independence. To say, therefore, that the official declaration of that resolve is a paper made up of the very opinions, beliefs, unbeliefs, the very sentiments, prejudices, passions, even the errors in judgment and the personal misconstructions—if they were such—which then actually impelled the American people to that mighty act, and that all these are expressed in the very phrases which they had been accustomed to use, is to pay to that state-paper the highest tribute as to its fitness for the purpose for which it was framed.

Of much of this, also, Jefferson himself seems to have been

conscious; and perhaps never does he rise before us with more dignity, with more truth, than when, late in his lifetime, hurt by the captious and jangling words of disparagement then recently put into writing by his old comrade, to the effect that the Declaration of Independence "contained no new ideas, that it is a commonplace compilation, its sentences hackneyed in Congress for two years before, and its essence contained in Otis's pamphlet," Jefferson quietly remarked that perhaps these statements might "all be true: of that I am not to be the judge. . . . Whether I had gathered my ideas from reading or reflection, I do not know. I know only that I turned to neither book nor pamphlet while writing it. I did not consider it as any part of my charge to invent new ideas altogether and to offer no sentiment which had ever been expressed before."*

Before passing from this phase of the subject, however, it should be added that, while the Declaration of Independence lacks originality in the sense just indicated, in another and perhaps in a higher sense, it possesses originality—it is individualized by the character and by the genius of its author. Jefferson gathered up the thoughts and emotions and even the characteristic phrases of the people for whom he wrote, and these he perfectly incorporated with what was already in his mind, and then to the music of his own keen, rich, passionate, and enkindling style, he mustered them into that stately and triumphant procession wherein, as some of us still think, they will go marching on to the world's end.

There were then in Congress several other men who could have written the Declaration of Independence, and written it well—notably Franklin, either of the two Adamses, Richard Henry Lee, William Livingston, and, best of all, but for his own opposition to the measure, John Dickinson; but had any one of these other men written the Declaration of Independence, while it would have contained, doubtless, nearly the same topics and nearly the same great formulas of political statement, it would yet have been a wholly different composition from this of Jefferson's. No one at all familiar with his other writings, as well as with the writings of his chief contemporaries, could ever have a moment's doubt, even if the fact were not already notorious,

* " *The Writings of Thomas Jefferson*," H. A. Washington ed., vii., 305.

that this document was by Jefferson. He put into it something that was his own, and that no one else could have put there. He put himself into it—his own genius, his own moral force, his faith in God, his faith in ideas, his love of innovation, his passion for progress, his invincible enthusiasm, his intolerance of prescription, of injustice, of cruelty; his sympathy, his clarity of vision, his affluence of diction, his power to fling out great phrases which will long fire and cheer the souls of men struggling against political unrighteousness.

And herein lies its essential originality, perhaps the most precious, and, indeed, almost the only, originality ever attaching to any great literary product that is representative of its time. He made for himself no improper claim, therefore, when he directed that upon the granite obelisk at his grave should be carved the words: "Here was buried Thomas Jefferson, author of the Declaration of Independence."*

V.

If the Declaration of Independence is now to be fairly judged by us, it must be judged with reference to what it was intended to be, namely, an impassioned manifesto of one party, and that the weaker party, in a violent race-quarrel; of a party resolved, at last, upon the extremity of revolution, and already menaced by the inconceivable disaster of being defeated in the very act of armed rebellion against the mightiest military power on earth. This manifesto, then, is not to be censured because, being avowedly a statement of its own side of the quarrel, it does not also contain a moderate and judicial statement of the opposite side; or because, being necessarily partisan in method, it is likewise both partisan and vehement in tone; or because it bristles with accusations against the enemy so fierce and so unqualified as now to seem in some respects overdrawn; or because it resounds with certain great aphorisms about the natural rights of man, at which, indeed, political science cannot now smile, except to its own discomfiture and shame—aphorisms which are likely to abide in this world as the chief source and inspiration of heroic enterprises among men for self-deliverance from oppression.

Taking into account, therefore, as we are bound to do, the circumstances of its origin, and especially its purpose as a solemn

* Randall, "*The Life of Thomas Jefferson*," iii., 563.

and piercing appeal to mankind on behalf of a small and weak nation against the alleged injustice and cruelty of a great and powerful one, it still remains our duty to enquire whether, as has been asserted in our time, history must set aside either of the two central charges embodied in the Declaration of Independence.

The first of these charges affirms that the several acts complained of by the colonists evinced "a design to reduce them under absolute despotism," and had as their "direct object the establishment of an absolute tyranny" over the American people. Was this, indeed, a groundless charge, in the sense intended by the words "despotism" and "tyranny"—that is, in the sense commonly given to those words in the usage of the English-speaking race? According to that usage, it was not an Oriental despotism that was meant, nor a Greek tyranny, nor a Roman, nor a Spanish. The sort of despot, the sort of tyrant, whom the English people, ever since the time of King John and especially during the period of the Stuarts, had been accustomed to look for and to guard against, was the sort of tyrant or despot that could be evolved out of the conditions of English political life. Furthermore, he was not by them expected to appear among them at the outset in the fully developed shape of a Philip or an Alva in the Netherlands. They were able to recognize him, they were prepared to resist him, in the earliest and most incipient stage of his being—at the moment, in fact, when he should make his first attempt to gain all power over his people, by assuming the single power to take their property without their consent. Hence it was, as Edmund Burke pointed out in the House of Commons only a few weeks before the American Revolution entered upon its military phase, that :

"The great contests for freedom . . . were from the earliest times chiefly upon the question of taxing. Most of the contests in the ancient commonwealths turned primarily on the right of election of magistrates, or on the balance among the several orders of the state. The question of money was not with them so immediate. But in England it was otherwise. On this point of taxes the ablest pens and most eloquent tongues have been exercised, the greatest spirits have acted and suffered They took infinite pains to inculcate, as a fundamental principle, that in all monarchies the people must in effect, themselves, mediately or immediately, possess the power of granting their own money, or no shadow of liberty could subsist. The colonies draw from you, as with their life-blood, these ideas and principles. Their love of liberty, as with you, fixed and attached on this specific

point of taxing. Liberty might be safe or might be endangered in twenty other particulars without their being much pleased or alarmed. Herethey felt its pulse, and as they found that beat, they thought themselves sick or sound.”*

Accordingly, the meaning which the English race on both sides of the Atlantic were accustomed to attach to the words “tyranny” and “despotism,” was a meaning to some degree ideal; it was a meaning drawn from the extraordinary political sagacity with which that race is endowed, from their extraordinary sensitiveness as to the use of the taxing-power in government, from their instinctive perception of the commanding place of the taxing-power among all the other forms of power in the state, from their perfect assurance that he who holds the purse with the power to fill it and to empty it, holds the key of the situation—can maintain an army of his own, can rule without consulting Parliament, can silence criticism, can crush opposition, can strip his subjects of every vestige of political life; in other words, he can make slaves of them, he can make a despot and a tyrant of himself. Therefore, the system which in the end might develop into results so palpably tyrannic and despotic, they bluntly called a tyranny and a despotism in the beginning. To say, therefore, that the Declaration of Independence did the same, is to say that it spoke good English. Of course, history will be ready to set aside the charge thus made in language not at all liable to be misunderstood, just so soon as history is ready to set aside the common opinion that the several acts of the British government, from 1764 to 1776, for laying and enforcing taxation in America, did evince a somewhat particular and systematic design to take away some portion of the property of the American people without their consent.

The second of the two great charges contained in the Declaration of Independence, while intimating that some share in the blame is due to the British Parliament and to the British people, yet fastens upon the king himself as the one person chiefly responsible for the scheme of American tyranny therein set forth, and culminates in the frank description of him as “a prince whose character is thus marked by every act which may define a tyrant.” Is this accusation of George the Third now to be set aside as unhistoric? Was that king, or was he not, chiefly re-

* “Speech on moving his Resolutions for Conciliation with the Colonies,” March 22, 1775. “*The Works of Edmund Burke*,” ii., 120-121.

sponsible for the American policy of the British government between the years 1764 and 1776 ? If he was so, then the historic soundness of the most important portion of the Declaration of Independence is vindicated.

Fortunately, this question can be answered without hesitation, and in a few words ; and for these few words, an American writer of to-day, conscious of his own bias of nationality, will rightly prefer to cite such words as have been uttered upon the subject by the ablest English historians of our time. Upon their statements alone it must be concluded that George the Third ascended his throne with the fixed purpose of resuming to the crown many of those powers which, by the constitution of England, did not then belong to it, and that in this purpose, at least during the first twenty-five years of his reign, he substantially succeeded—himself determining what should be the policy of each administration, what opinions his ministers should advocate in Parliament, and what measures Parliament itself should adopt. Says Sir Erskine May:

“The king desired to undertake personally the chief administration of public affairs, to direct the policy of his ministers, and himself to distribute the patronage of the crown. He was ambitious not only to reign, but to govern.” “Strong as were the ministers, the king was resolved to wrest all power from their hands, and to exercise it himself.” “But what was this in effect but to assert that the king should be his own minister ? . . . The king’s tactics were fraught with danger, as well to the crown itself as to the constitutional liberties of the people.” *

Already, prior to the year 1778, according to Lecky, the king had “laboriously built up” in England a “system of personal government” ; and it was because he was unwilling to have this system disturbed that he then refused,

“In defiance of the most earnest representations of his own minister and of the most eminent politicians of every party . . . to send for the greatest of living statesmen at the moment when the empire appeared to be in the very agonies of dissolution. . . . Either Chatham or Rockingham would have insisted that the policy of the country should be directed by its responsible ministers and not dictated by an irresponsible sovereign.”

This refusal of the king to pursue the course which was called for by the constitution, and which would have taken the control of the policy of the government out of his hands, was, according to the same great historian, an act “the most criminal

* These sentences occur in the chapter on the “The Influence of the Crown during the Reign of George III.” in Sir Erskine May’s “*Constitutional History of England*,” I., 11, 12, 14-15.

in the whole reign of George the Third ; . . . as criminal as any of those acts which led Charles the First to the scaffold.”*

Even so early as the year 1768, according to John Richard Green,

“George the Third had at last reached his aim . . . In the early days of the ministry” (which began in that year) “his influence was felt to be predominant. In its later and more disastrous days it was supreme; for Lord North, who became the head of the ministry on Grafton’s retirement in 1770, was the mere mouthpiece of the king. ‘Not only did he direct the minister,’ a careful observer tells us, ‘in all important matters of foreign and domestic policy, but he instructed him as to the management of debates in Parliament, suggested what motions should be made or opposed, and how measures should be carried. He reserved for himself all the patronage, he arranged the whole cast of the administration, settled the relative place and pretensions of ministers of state, law officers, and members of the household, nominated and promoted the English and Scotch judges, appointed and translated bishops and deans, and dispensed other preferments in the church. He disposed of military governments, regiments, and commissions, and himself ordered the marching of troops. He gave and refused titles, honors, and pensions’. All this immense patronage was steadily used for the creation of a party in both houses of Parliament attached to the king himself . . . George was, in fact, sole minister during the fifteen years which followed; and the shame of the darkest hour of English history lies wholly at his door.”†

Surely, until these tremendous verdicts of English history shall be set aside, there need be no anxiety in any quarter as to the historic soundness of the two great accusations which together make up the principal portion of the Declaration of Independence. In the presence of these verdicts also, even the passion, the intensity of language, in which those accusations are uttered, seem to find a perfect justification. Indeed, in the light of the most recent and most unprejudiced expert testimony, the whole document, both in its substance and in its form, seems to have been the logical response of a nation of brave men to the great words of the greatest of English statesmen, as spoken in the House of Commons precisely ten years before :

“This kingdom has no right to lay a tax on the colonies.‡ Sir, I rejoice that America has resisted. Three millions of people, so dead to all the feelings of liberty as voluntarily to submit to be slaves, would have been fit instruments to make slaves of the rest.”§

VI.

Thus, ever since its first announcement to the world, and

* Lecky, “*A History of England in the Eighteenth Century*,” iv., 457-458.

† “*A Short History of the English People*,” 736, 737.

‡ “*The Celebrated Speech of a Celebrated Commoner*,” London, 1776, p. 5.

§ *Ibid.*, 12.

down almost to the present moment, has the Declaration of Independence been tested by criticism of every possible kind—by criticism intended and expected to be destructive. Apparently, however, all this criticism has failed to accomplish its object.

It is proper for us to remember, also, that what we call criticism is not the only valid test of the genuineness and worth of any piece of writing of great practical interest to mankind: there is, in addition, the test of actual use and service, in direct contact with the common sense and the moral sense of large masses of men, under various conditions, and for a long period. Probably no writing which is not essentially sound and true has ever survived this test.

Neither from this test has the great Declaration any need to shrink. As to the immediate use for which it was sent forth—that of rallying and uniting the friends of the Revolution, and bracing them for their great task—its effectiveness was so great and so obvious that it has never been denied. During the century and a quarter since the Revolution, its influence on the political character and the political conduct of the American people has been great beyond calculation. For example, after we had achieved our own national deliverance, and had advanced into that enormous and somewhat corrupting material prosperity which followed the adoption of the constitution and the development of the cotton-interest and the expansion of the Republic into a trans-continental power, we fell under an appalling temptation—the temptation to forget, or to repudiate, or to refuse to apply to the case of our human brethren in bondage, the principles which we had once proclaimed as the basis of every rightful government. The prodigious service rendered to us in this awful moral emergency by the Declaration of Independence was, that its public repetition, at least once every year, in the hearing of vast throngs of the American people in every portion of the Republic, kept constantly before our minds, in a form of almost religious sanctity, those few great ideas as to the dignity of human nature, and the sacredness of personality, and the indestructible rights of man as mere man, with which we had so gloriously identified the beginnings of our national existence. It did at last become very hard for us to listen each year to the preamble of the Declaration and still to remain the owners and users and catchers of slaves; still harder, to accept the doctrine that the righteousness and

prosperity of slavery was to be accepted as the dominant policy of the nation. The logic of Calhoun was as flawless as usual, when he concluded that the chief obstruction in the way of his system was the preamble of the Declaration of Independence. Had it not been for the inviolable sacredness given by it to those sweeping aphorisms about the natural rights of man, it may be doubted whether Calhoun might not have won over an immense majority of the American people to the support of his compact and plausible scheme for making slavery the basis of the Republic. It was the preamble of the Declaration of Independence which elected Lincoln, which sent forth the Emancipation Proclamation, which gave victory to Grant, which ratified the Thirteenth Amendment.

We shall not here attempt to delineate the influence of this state paper upon mankind in general. Of course, the emergence of the American Republic as an imposing world-power is a phenomenon which has now for many years attracted the attention of the human race. Surely, no slight effect must have resulted from the fact that, among all civilized peoples, the one American document best known is the Declaration of Independence, * and that thus the spectacle of so vast and beneficent a political success has been everywhere associated with the assertion of the natural rights of man. "The doctrines it contained," says Buckle, "were not merely welcomed by a majority of the French nation, but even the government itself was unable to withstand the general feeling."† "Its effect in hastening the approach of the French Revolution . . . was indeed most remarkable."‡ Elsewhere, also, in many lands, among many peoples, it has been cited again and again as an inspiration to political courage, as a model for political conduct; and if, as the brilliant historian just alluded to has affirmed, "that noble Declaration. . . ought to be hung up in the nursery of every king, and blazoned on the porch of every royal palace,"§ it is because it has become the classic statement of political truths which must at last abolish kings altogether, or else teach them to identify their existence with the dignity and happiness of human nature.

MOSES COIT TYLER.

* The editor of the latest edition of "*The Writings of Thomas Jefferson*," i., Introd. xxv., does not shrink from calling it "the paper, which is probably the best known that ever came from the pen of an individual."

† "*History of Civilization in England*," 846.

‡ *Ibid.*, 847.

§ Buckle, "*History of Civilization in England*," 846.